

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
DOCKET NO. 3:15-cv-00407-FDW-DCK

BRUCE MORGAN,

Plaintiff,

vs.

JOSEPH FIALKA, JOSEPH KERRIGAN,
GARLAND PHILLIPS, and JEB
JOHNSON.,

Defendant.

ORDER

THIS MATTER is before the Court on Plaintiff's Motion for Reconsideration (Doc. No. 6), filed August 16, 2016. The Court previously dismissed this case for multiple reasons, as explained in its order dated April 5, 2016. (Doc. No. 4). Despite the existence of the multiple grounds warranting dismissal, Plaintiff's motion characterizes the dismissal as being made "because of nonpayment of" the filing fee. (Doc. No. 6). Plaintiff requests the Court reconsider this dismissal because he "can come up with the other \$400.00" (Doc. No. 6). To the contrary, there were other reasons subjecting Plaintiff's case to dismissal, including his failure to amend his complaint and failure to submit the summons to complete service of process. (Doc. No. 4, p. 2). Plaintiff's instant motion fails to acknowledge or remedy these defects. Moreover, this Court dismissed Plaintiff's case on April 5, 2016, and Plaintiff delayed filing the motion for reconsideration until four months had elapsed. In light of all these circumstances, the Court fails to find sufficient reason or good cause to reopen this matter.

IT IS THEREFORE ORDERED that Plaintiff's Motion for Reconsideration (Doc. No. 6) is DENIED.

IT IS SO ORDERED.

Signed: August 29, 2016



Frank D. Whitney
Chief United States District Judge

